

Docket No. 000412

Serial No. 09/923,001

REMARKS/ARGUMENTS

Claims 17-19 remain pending in the application. Claim 17 was rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,275,705 to Drane et al. (hereinafter Drane). Claims 18-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Drane in view of U.S. Patent No. 5,875,402 to Yamawaki (hereinafter Yamawaki). Applicant respectfully traverses the rejection and requests reconsideration and allowance of all pending claims.

In order for a claim to be anticipated, each and every element as set forth in the claim must be either expressly or inherently described in a single prior art reference. Applicant contends that Drane fails to describe at least one feature of each rejected claim. Applicant respectfully requests reconsideration and allowance of claim 17.

Claim 17 recites a method for determining an amount of delay between a base station and a transmission antenna of the base station. The method includes "determining the amount of delay between the base station and the transmission antenna by subtracting the air time from the transmission time." Drane fails to contemplate or describe the claimed features.

Drane, and particularly the portion of Drane cited by the Examiner, describes synchronizing the timing of multiple base stations using a reference receiver. The reference receiver is used to help the system determine a time offset of each base station. *See, e.g., Drane*, Col. 5, ll. 35-40 ("[T]he method comprising the steps of: locating a reference receiver at known distances from the base stations; measuring the times of arrival of signals transmitted from the base stations; determining the relative time offsets of transmissions from each base station, using the known distances and measured times; and calculating the position of a mobile transceiver in the network area using the determined relative time offsets.").

Drane fails to describe a time difference between a time of transmission occurring at the base station and a time of transmission occurring at a base station transmit antenna. As such, Drane fails to describe or suggest "determining an amount of delay between a base station and a transmission antenna of the base station." Drane states: "As the reference receiver 13 is in a fixed position relative to the base stations 12, the propagation time of the radio-frequency signal from each base station 12 to the reference receiver 13 is known. Such a receiver can be used to measure the relative timing offsets of each base station (transmitter) and thereby achieve a form of synchronization suitable for position determination."

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As can be seen from the description, Drane does not distinguish between a base station and a base station transmit antenna, and fails to describe the timing delay occurring between the base station and its transmit antenna. Drane makes no distinction between an air time and a transmission time. Indeed, the cited portion of Drane is only concerned with determining relative base station timing offsets and is not concerned with identifying an actual measure of any particular delay.

Therefore, Drane fails to anticipate claim 17, because Drane fails to describe determining an amount of delay between a base station and a transmission antenna of the base station, and fails to describe subtracting the air time from the transmission time. Applicant respectfully requests reconsideration and allowance of claim 17.

Claims 18 and 19 depend from claim 17 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claims 18-19.

Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

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